



Focus on Use of Terms for Water Rights

from Ecology's Water Resources Program

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The Department of Ecology's water resources program has developed Policy 1040, "Use of Terms that Clarify Relationships Between Water Rights." This policy will provide guidance to department staff regarding the administration of water rights that share specific elements such as purposes of use, points of diversion or withdrawal, and/or places of use. Staff will continue to work closely with applicants when processing water rights. Clarification is provided below about the terms *primary*, *supplemental*, *alternate*, *standby/reserve*, *additive*, *non-additive* and *source*.

Background

Ecology staff issue water right documents with terms intended to describe the relationship between water rights that share purpose/place of use, or points of diversion or withdrawal. Primary, supplemental and other terms such as alternate, standby, back-up, reserve, etc. have been widely used by the department. However, the use of these terms has not been consistent between Ecology's regional offices across the state, owing in part to the difference in the primary uses of water in Eastern and Western Washington (e.g. irrigation vs. municipal).

This policy provides definitions and directions for use of these long-standing terms. The policy will provide direction to staff such as when reviewing water system planning documents. It also will provide direction to staff when updating existing water right records and when issuing new water rights. Consistent use of these terms by Ecology staff and water right holders will provide a foundation for better administration of water rights.

Defining Terms

The following new definitions will be used to provide a better understanding of the relationships between water rights.

Additive: A water right for annual and/or instantaneous quantities of water that are added to an existing water right.

Alternate: A water right that can be used either, instead of, or simultaneously with, another water right. Alternate rights authorize a substitute point of diversion or withdrawal under a second water right to meet or augment an existing water right. The water user is allowed to determine which right to use. An alternate water right generally does not have an annual quantity that is additive to other water rights, and can have an instantaneous quantity that is either additive or non-additive, depending on the needs of the project. Alternate water rights are typically associated with the purpose of use by municipal water suppliers.

Non-additive: A water right for annual and/or instantaneous quantities of water that does not increase available water in existing water rights.

Primary water right: The water right that must be used to the fullest possible extent before a standby or reserve water right can be exercised.

Standby/Reserve: A water right that only can be used when the primary water right goes unfilled or cannot satisfy an authorized use during droughts or other times when stream flows are low.



Supplemental: A water right designation formerly used to describe the relationship between water rights. Historically, the term has been used to refer to rights now that will be described as additive, standby/reserve, alternate, or non-additive.

The term *supplemental* has been used most broadly, indicating that permitted annual water use was increased, the maximum rate of use was increased, and/or that an additional source was allowed – either simultaneously or when the original water source was inadequate.

Please Note: To avoid further confusion, the term *supplemental* will not longer be used on future water right authorizations.

The following list provides a comparison between Ecology’s previous use of the term *supplemental* and how the new terms will be used.

Historical Meaning of Supplemental	Replaced With
A water right that could be used only when the primary right was unavailable, also called “emergency” in the past.	Standby / Reserve
A water right that is used to “add” quantities, either an annual withdrawal or an instantaneous withdrawal rate to another water right. Quantities may be either additive or non-additive.	Additive (or Non-additive)
A water right that is intended to provide an additional point of diversion or withdrawal to the original water right for source flexibility.	Alternative

For more information

All of the authorizing laws and regulations plus additional information about water rights can be found the following on the Web site at: www.ecy.wa.gov/programs/wr/wrhome.html

To locate the regional office for your county, see the map below:



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